



**STATE OF WASHINGTON**  
**BOARD OF PILOTAGE COMMISSIONERS**

2901 Third Avenue, Suite 500 \* Seattle, Washington 98121 \* (206) 515-3904 \* FAX (206) 515-3906  
[www.pilotage.wa.gov](http://www.pilotage.wa.gov)

November 9, 2006

**OPEN LETTER TO SHIPPING COMPANIES AND VESSEL MASTERS**

Some recent situations that have developed on the bridges of ships underway while under the navigational control of a Washington State Pilot indicate that there may be some misconceptions on the part of ship operators, vessel Masters and officers regarding Pilotage in the State of Washington. The Board of Pilotage Commissioners (Board) has determined that an open communication to those responsible for the safe navigation of vessels operating in Puget Sound or Grays Harbor may help clarify what Washington State laws and rules require regarding Pilotage. Pilotage rules vary throughout the world and keeping them straight can be a complex task. This letter will summarize Washington State's requirements.

The Revised Code of Washington (RCW) requires that **all vessels** (with some *exemptions*) take a Washington State Pilot when in Puget Sound or Grays Harbor Pilotage Districts. The Puget Sound Pilotage District comprises all the waters of Washington State east of Longitude 123-24 W. The Grays Harbor Pilotage District includes all inland waters within Grays Harbor and Willapa Harbor. The *exemptions* include certain U.S. and Canadian flag vessels; foreign flag vessels inbound to or outbound from Canadian ports (with a compulsory British Columbia Coast Pilot on board); and foreign flag small passenger vessels or yachts that have received a written exemption by the Board. However, if any of those exempt vessels voluntarily take a Washington State Pilot, then the requirements of the RCW apply. Therefore, every foreign flag vessel shall employ a Washington State Pilot when in Puget Sound or Grays Harbor unless specifically exempt from doing so. Employing a Washington State Pilot is compulsory - not optional - for any vessel not exempted as provided in the RCW.

In order to be considered "employed," the Pilot is to be in navigational control of the vessel any time that it is underway in the Pilotage district. There are only two circumstances where a Pilot would not be in direct navigational control of the vessel:

The first situation is provided for in the Washington Administrative Code (WAC): **WAC 363-116-365 Docking and Undocking of Certain Vessels by the Vessels' Masters** which went into effect on May 22, 2003. That section only applies to passenger ships not requiring a tug for docking or undocking. On all other vessels the compulsory Pilot must do the docking or undocking. Allowing the Master of passenger vessels to dock or undock the vessel is not automatic since the Master may not commence maneuvering the vessel until the express consent of the Pilot has been given; and the Pilot should not give consent if there are indications that the procedure can not be done safely. The Pilot must still remain available to advise and assist the Master, and the Master should keep the Pilot informed as to what is going on with regard to the maneuvering of the vessel. Paragraph (4) of WAC 363-116-365 provides a small amount of leeway as to exactly where the Master may take over the maneuvering of the vessel, but it should always be as close to the berth as practical within the bounds of safety (but no more than two ship lengths away). The Pilot should retain control of the navigation of the vessel while it is approaching and transiting narrow waterways or channels.

The second situation in which a vessel might operate not under the navigational control of a Washington State Pilot is provided for in **WAC 363-116-405 Relieving Pilots for Cause**. **Note:** Only the Master of the vessel can relieve a Pilot for cause (this authority can not be assumed by or delegated to any other member of the crew) and there are very specific circumstances which must exist - "only if the pilot is manifestly incompetent or incapacitated or if the vessel is endangered...due to the pilot's error." If a Pilot is relieved while the vessel is underway, the vessel is to immediately be

taken to the nearest safe anchorage “to the extent it can be done safely” and await a new Pilot. If that is not possible or prudent, then the vessel must be slowed to slowest prudent speed until a new Pilot has boarded. The Pilot, even when relieved, is required to remain available to advise and assist the Master to the extent possible and practical.

In the event a Pilot is relieved for cause in Puget Sound, the Vessel Traffic System (VTS) shall be notified immediately. The vessel is also required to promptly notify the Board of the relief of a Pilot for cause. That requirement can be satisfied by calling the Marine Exchange of Puget Sound (206-443-3830 or 800-627-3924). They will relay the information to the Pilotage Commission Chairman. The vessel Master should then send a letter report to the Board as soon as practical. The Pilot should submit a Pilot’s Report of Marine Safety Occurrence or Pilot’s Report of Incident (depending upon the circumstances). Note that, while the WAC does not require a report to the Coast Guard (other than the report to the VTS if the vessel is in the Puget Sound Pilotage District), the relief of the Pilot for cause most probably would meet various criteria in the Federal Regulations which require an immediate report to the Coast Guard, so such a report is probably prudent.

As provided in the RCW, when a Pilot boards a vessel, that Pilot becomes a part of the vessel’s bridge resources. Because of the requirement for the Pilot to be in navigational control of the vessel while underway, he/she is a very unique resource that does not fit some definitions of being a member of the “bridge team.” While it is compulsory to give the Pilot navigational control of the vessel, that does not relieve the Master from the ultimate responsibility for the safe navigation of the vessel. As mentioned above, any Pilot whose actions put a vessel at risk can (and should) be relieved by the Master. It should be noted, however, that such relief must be for cause and must be done in a specific manner that leaves no doubt that such a relief has occurred. In other words, a Master (or any other member of the crew) should not alter, supersede or cancel the orders and actions of a Pilot without relieving that Pilot. The Master should work with the Pilot whenever there is concern that the Pilot’s actions may not be proper, but no member of the crew (including the Master) should take it upon himself to make changes in the control of the vessel without the knowledge and consent of the Pilot. This includes (but is not limited to) changing a course heading, altering speed, applying rudder or bow thruster, making passing arrangements with other vessels, etc.

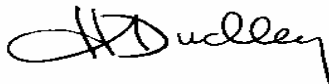
It should be clear that in order for the Pilot to properly carry out the responsibilities associated with safe navigation of a vessel, he/she must be provided with all the resources relating to navigation that the ship has at hand. These include ensuring that the Pilot has appropriate access to all radars, depth sounders, radios, electronic chart display and information systems (ECDIS), geographic positioning systems (GPS), automatic information systems (AIS), etc. that are operational on the bridge; ensuring that the Pilot has clear access to all the areas of the bridge that might be used in the process of navigating the vessel (centerline windows, bridge wings, etc.); and ensuring that the pilot is not distracted by issues not associated with the navigation of the vessel.

It is also essential that the Pilot know what is going on at all times. The required language for vessels in U.S. waters is English. Any command to a crew member that has any potential to impact the navigational safety of the vessel (including, but not limited to, commands related to anchoring and the passing and letting go of mooring lines) should be given in English so the Pilot will know what is happening. If a crew member has difficulty with English, the command should first be given in English and then repeated in the language that the crew member best understands.

The Board is of the firm belief that a Pilot can only be properly employed if he/she is given all the tools necessary to carry out the safe navigation of the vessel; is kept fully apprised of all actions and orders that affect the navigation of the vessel; and is allowed to carry out the navigational responsibilities that the law has established without interference.

If anyone has any questions concerning this letter, please contact me at the above address.

Sincerely,



Captain Harry H. Dudley  
Chairman

cc: Puget Sound Pilots  
Port of Grays Harbor